IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3106 OF 2006

IN
CHAMBER SUMMONS NO.1495 OF 2005

IN
SUIT NO.2444 OF 2004

Mrs.Jaywanti K. Dedhia & Anr. ...Plaintiffs

V/s.

Ashok Kalyanji Dedhia & Ors. ...Defendants

And

Smt.Jasmine D. Nagda ...Applicant / Proposed Defendant

None for the Plaintiffs. .

None for the Defendants. .

Mr.Prakash S. Tiwari, Advocate, for the Applicant.

CORAM : S.J. VAZIFDAR, J.
DATED : 25TH SEPTEMBER, 2006.

P.C. :

1. By consent the Notice of Motion is heard finally.

2. No ground for restoration is made out.

3. Moreover the applicant seeks restoration of a chamber summons which ex-facie is not maintainable.

The chamber summons seeks impleadment merely on the ground that the applicant is an important witness in support of the Defendant's case. The Defendant is always at liberty to rely upon the evidence of the applicant even without the applicant being a party.

4. In the circumstances, the Notice of Motion is dismissed.